

**U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

AND

**U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

BEARS EARS NATIONAL MONUMENT ADVISORY COMMITTEE

CHARTER

- 1. OFFICIAL DESIGNATION:** Bears Ears National Monument Advisory Committee (Committee).
- 2. AUTHORITY:** This Committee is established pursuant to Presidential Proclamation 9558, "Establishment of the Bears Ears National Monument" (Monument) (December 28, 2016), as modified by Presidential Proclamation 9681, "Modifying the Bears Ears National Monument" (December 4, 2017), and is consistent with section 309 of the Federal Land Policy and Management Act (FLPMA), as amended, (43 U.S.C. 1739); the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600); section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a); the Wilderness Act (16 U.S.C. 1131); and all other applicable provisions of law. The Bureau of Land Management (BLM) is subject to standards and procedures for the creation, operation, and termination of BLM resource advisory councils. Refer to the 1995 amended BLM regulations (43 CFR 1784) for specific regulations regarding: avoidance of conflict of interest (1784.2-2); calls for nominations (1784.4-1); notice of meetings (1784.4-2); open meetings (1784.4-3); records (1784.5-3); and course of instruction for members (1784.6-1(f)). The Committee is regulated by the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. Appendix 2).
- 3. OBJECTIVES AND SCOPE OF ACTIVITIES:** The Committee will provide information and advice regarding the development of the management plan and, as appropriate, management of the Monument to the Secretary of the Interior, through the Director of BLM, and to the Secretary of Agriculture, through the Chief of the U.S. Forest Service (FS), as stated in the Presidential Proclamation establishing the Monument.
- 4. DESCRIPTION OF DUTIES:** Committee duties and responsibilities, where applicable, are as follows:
 1. Upon the request of the Designated Federal Officer (DFO), provide information and advice regarding the development of the Monument's management plan, and as appropriate, management of the Monument as stated in the Presidential Proclamation establishing the Monument.
 2. Provide recommendations for implementation of Secretary's Order 3347: Conservation Stewardship and Outdoor Recreation, and Secretary's Order 3356: Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories. Recommendations shall include, but are not limited to:

- (a) assessing and quantifying implementation of the Secretary's Orders and recommendations to enhance and expand their implementation as identified; and
- (b) policies and programs that:
 - (1) increase outdoor recreation opportunities for all Americans, with a focus on engaging youth, veterans, minorities, and other communities that traditionally have low participation in outdoor recreation;
 - (2) expand access for hunting and fishing on BLM land in a manner that respects the rights and privacy of the owners of non-public lands; and
 - (3) create greater collaboration with States, Tribes, and/or Territories.
- 3. Provide recommendations for implementation of the regulatory reform initiatives and policies specified in section 2 of Executive Order 13777: Reducing Regulation and Controlling Regulatory Costs; Executive Order 12866: Regulatory Planning and Review, as amended; and section 6 of Executive Order 13563: Improving Regulation and Regulatory Review. Recommendations shall include, but are not limited to:
 - (a) identifying regulations for repeal, replacement, or modification considering, at a minimum, those regulations that:
 - (1) eliminate jobs or inhibit job creation;
 - (2) are outdated, unnecessary, or ineffective;
 - (3) impose costs that exceed benefits;
 - (4) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
 - (5) rely, in part or in whole, on data or methods that are not publicly available or insufficiently transparent to meet the standard for reproducibility; or
 - (6) derive from or implement Executive Orders or other Presidential and Secretarial directives that have been subsequently rescinded or substantially modified.
- 4. Provide recommendations for collaborative and innovative solutions to aggressively address wildland fires on public lands as guided by the Secretary of the Interior's memo on wildfires dated September 11, 2017, by:
 - (a) utilizing existing policies as well as national and regional methods of fuel control;
 - (b) identifying new solutions for the application of existing policies and innovative fuel control methods;

- (c) better integrating State, local, and Tribal stakeholders in wildfire prevention and suppression;
- (d) establishing methods which emphasize the importance of firefighting and public safety; and
- (e) ensuring that landscapes are restored and maintained.

All current and future Executive Orders, Secretary's Orders, and Secretarial memos should be included for discussion and recommendation as they are released. At the conclusion of each meeting or shortly thereafter, provide a detailed recommendation report, including meeting minutes, to the DFO.

5. **OFFICIAL TO WHOM THE COMMITTEE REPORTS:** The Committee provides advice to the Secretary of the Interior, through the Director of BLM, and the Secretary of Agriculture, through the Chief of the FS.
6. **SUPPORT:** Administrative support and funding for activities of the Committee will be provided by the office of the DFO.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual operating costs associated with supporting the Committee's activities are estimated to be \$50,000, including all direct and indirect expenses and 0.30 Federal staff years support.
8. **DESIGNATED FEDERAL OFFICER:** The DFO is BLM's Canyon Country District Manager, who is a full time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary of the Interior.
9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** The Committee will meet approximately two to four times annually, and at such other times as designated by the DFO.
10. **DURATION:** Continuing.
11. **TERMINATION:** The Committee will terminate on September 29, 2019, unless extended by the President. The Committee will not meet or take any action without a valid current charter.
12. **MEMBERSHIP AND DESIGNATION:** The Committee will consist of 15 members to be appointed by the Secretary of the Interior and the Secretary of Agriculture, as follows:
 - 1) An elected official from San Juan County representing the county;
 - 2) A representative of State government;
 - 3) A representative with paleontological expertise;
 - 4) A representative with archaeological or historic expertise;

- 5) A representative of the conservation community;
- 6) A representative of livestock grazing permittees within the Monument;
- 7) Two representatives of Tribal interests;
- 8) Two representatives of developed outdoor recreation, off-highway vehicle users, or commercial recreation activities, including, for example, commercial/charter or recreation fishing;
- 9) A representative of dispersed recreational activities, including, for example, hunting and shooting sports;
- 10) A representative of private landowners;
- 11) A representative of local business owners; and,
- 12) Two representatives of the public at large, including, for example, sportsmen and sportswomen communities.

Members will be appointed to staggered 3-year terms. All members serve at the discretion of the Secretary of the Interior and the Secretary of Agriculture.

Members may be appointed as representative members or special Government employees. Members appointed as special Government employees are required to complete ethics training and file a confidential financial disclosure report on an annual basis.

- 13. ETHICS RESPONSIBILITIES OF MEMBERS:** No Committee or subcommittee member will participate in any Committee or subcommittee deliberations or votes relating to a specific party matter before the Departments of the Interior and Agriculture or their bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation in which the member or the entity the member represents has a direct financial interest.

As provided in 43 CFR 1784.2-2, members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by BLM or in any litigation related thereto. For the purpose of this paragraph, indirect interest includes holdings of a spouse or independent child. The DFO must report any required disclosures under this paragraph to the BLM Deputy Ethics Counselor, who will coordinate with the Departments of the Interior or Agriculture Ethics Offices as appropriate.

The Department of the Interior will provide materials to those members appointed as special Government employees, explaining their ethical obligations. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Committee's operations, activities, or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

- 14. SUBCOMMITTEES:** Subject to the DFO's approval, subcommittees may be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Committee for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

- 15. RECORDKEEPING:** The records of the Committee, and formally and informally established subcommittees of the Committee, shall be handled in accordance with General Records Schedule 6.2 and other approved Agency records disposition schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).



Secretary of the Interior

AUG 24 2018
Date Signed

SEP 12 2018
Date Filed